

J. P. NEWKIRK, ADMINISTRATOR.

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LETTER FROM THE ASSISTANT CLERK OF THE COURT OF CLAIMS,  
TRANSMITTING A COPY OF THE FINDINGS FILED BY THE COURT  
IN THE CASE OF J. P. NEWKIRK, ADMINISTRATOR OF JAMES H.  
NEWKIRK, DECEASED, AGAINST THE UNITED STATES.

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JANUARY 19, 1903.—Referred to the Committee on War Claims and ordered to be  
printed.

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COURT OF CLAIMS, CLERK'S OFFICE,  
*Washington, January 16, 1903.*

SIR: Pursuant to the order of the court I transmit herewith a certi-  
fied copy of the findings filed by the court in the aforesaid cause,  
which case was referred to this court by the Committee on War  
Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,  
*Assistant Clerk Court of Claims.*

Hon. DAVID B. HENDERSON,  
*Speaker of the House of Representatives.*

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[Court of Claims. Congressional, No. 4010. Estate of James H. Newkirk v. The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or  
furnished to the military forces of the United States for their use during the late war  
for the suppression of the rebellion, the court, on a preliminary inquiry, finds that  
James H. Newkirk, deceased, the person alleged to have furnished such supplies or  
stores, or from whom the same are alleged to have been taken, was loyal to the Gov-  
ernment of the United States throughout said war.

BY THE COURT.

Filed December 2, 1901.

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[Court of Claims. Congressional case No. 4010. J. P. Newkirk, administrator of James H. Newkirk,  
deceased, v. The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been  
taken by or furnished to the military forces of the United States for their use during  
the late war for the suppression of the rebellion, was transmitted to the court by the  
Committee on War Claims of the House of Representatives on the 20th day of April,  
1888.

On a preliminary inquiry the court, on the 2d day of December, 1901, found that  
the person alleged to have furnished the supplies or stores or from whom they were  
alleged to have been taken was loyal to the Government of the United States  
throughout said war.

The case was brought to a hearing on its merits on the 22d day of October, 1902. George A. & William B. King, esqs., appeared for claimant, and the Attorney-General, by J. Q. Thompson, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is the administrator of James H. Newkirk, deceased, appointed on the 19th day of September, 1902, by the probate court in and for the county of Garland, State of Arkansas, his warrant of authority being herewith brought into court; that said claimant's decedent was during the civil war a resident of the State of Arkansas and did not give any aid or comfort to the said rebellion, but was throughout the war loyal to the Government of the United States.

That the following property belonging to the claimant's decedent was taken from him in the county of Saline, State of Arkansas, by and for the use of the United States Army, on or about the 1st day of March, 1864, by troops under command of General Thayer, to wit:

500 bushels corn .....	\$500
6 tons of hay .....	120
600 bundles of fodder.....	18
2,000 pounds bacon.....	400
30 pork hogs.....	450
17 beef cattle .....	255
15 sheep.....	30
1 clay-bank horse .....	125
12 cords wood.....	36
4,500 rails .....	135
Total.....	2,069

The court, upon the evidence and after considering the briefs and argument of counsel on both sides, makes the following

#### FINDING OF FACT.

There were taken from the claimant's decedent in Saline County, State of Arkansas, during the war of the rebellion, by the military forces of the United States for the use of the Army, stores and supplies of those above described, which at the time and place of taking were reasonably worth the sum of one thousand one hundred and seventy-eight dollars (\$1,178).

It does not appear that payment has been made for any part thereof.

BY THE COURT.

Filed October 27, 1902.

A true copy.

Test this 15th day of January, 1903.

[SEAL.]

JOHN RANDOLPH,  
Assistant Clerk Court of Claims.